



TOWN OF QUEENSBURY

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Office of Proceedings

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January 23, 2012

Surface Transportation Board
U.S. Dept. of Transportation
395 E. Street SW
Washington, DC 20423-0001

To Whom It May Concern:

Enclosed please find a certified copy of resolution 67, 2012 entitled Resolution Supporting Application of Saratoga and North Creek Railway, LLC Before the Surface Transportation Board to Provide Rail Services on the Existing Approximately 29.71 Miles of Rail Track Known as the "Tahawus Line" Running from North Creek, New York with Terminus at Newcomb, New York.

If you have any questions regarding this resolution please feel free to contact this office.

Respectfully,

Rose Mellon
Deputy Town Clerk II
Town of Queensbury

Enc.

C: the Hon. Elizabeth O'C. Little, the Hon. Teresa Sayward, NYS DEC Division of Lands & Forest, Essex County Board of Supervisors, Adk Association of Towns & Villages

**RESOLUTION SUPPORTING APPLICATION OF SARATOGA AND
NORTH CREEK RAILWAY, LLC BEFORE THE SURFACE
TRANSPORTATION BOARD TO PROVIDE RAIL SERVICE ON THE
EXISTING APPROXIMATELY 29.71 MILES OF RAIL TRACK KNOWN
AS THE "TAHAWUS LINE" RUNNING FROM NORTH CREEK, NEW
YORK WITH TERMINUS AT NEWCOMB, NEW YORK**

RESOLUTION NO.: 67, 2012

**INTRODUCED BY: Mr. Ronald Montesi
WHO MOVED ITS ADOPTION**

SECONDED BY: Mr. Tim Brewer

WHEREAS, Saratoga and North Creek Railway, LLC has applied to the Surface Transportation Board for permission to reactivate the Tahawus line, and

WHEREAS, once approved for use, Saratoga and North Creek Railway, LLC intends to utilize the Tahawus line to haul freight and support economic development, and

WHEREAS, existing rail lines have become an increasingly important alternative for shipping and receiving for small to medium size Adirondack businesses as the price of gasoline and diesel fuel increases, and

WHEREAS, the North Country Regional Economic Council Plan identified rail importance as a major component of the region's economic health and calls for the retention of all existing rail lines, and

WHEREAS, the rehabilitation and use of the Tahawus rail line as proposed by Saratoga and North Creek Railway, LLC holds the potential for additional future passenger and tourism services, while accommodating freight shipments to existing businesses, and

WHEREAS, the application of Saratoga and North Creek Railway, LLC to reactivate the Tahawus line has been met with vehement opposition by Protect the Adirondacks!, Inc., as well as

resistance by the NYS DEC, Division of Lands and Forest, and

WHEREAS, it is the opinion of the Queensbury Town Board that leaving these existing tracks in place and unused is a waste of a community asset, and

WHEREAS, if a viable proposal for use of this existing infrastructure is made and will be pursued (as we understand it has) then the tracks should be used for this purpose – otherwise, if no future use of the rails is deemed feasible or likely should other alternative uses for this rail bed be pursued so that this asset does not continue to deteriorate and remain in limbo, unused for any benefit as has been the situation for many years,

NOW, THEREFORE, BE IT

RESOLVED, that the Queensbury Town Board hereby expresses strong support for the application of Saratoga and North Creek Railway, LLC to the Surface Transportation Board for permission to operate the Tahawus line, and

BE IT FURTHER,

RESOLVED, that the Town Board believes that leaving the rail line in place, unused in any way is not to the public's benefit and that it should be allowed to be put to use, preferably as currently proposed by Saratoga and North Creek Railway, LLC, but ultimately if no rail use will be pursued in the near future than for some other public use, and

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Clerk to send a certified copy of this Resolution to the Surface Transportation Board, the New York State Department of Environmental Conservation, Division of Lands and Forest, the Essex County Board of Supervisors, the Hon. Elizabeth O'C. Little, the Hon. Teresa Sayward, the Adirondack

Association of Towns and Villages and such other officials and entities as deemed appropriate by the Town Board, and

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor and/or Town Clerk to take such other and further actions as may be necessary to effectuate the terms of this Resolution.

Duly adopted this 23rd day of January, 2012, by the following vote:

AYES: Mr. Montesi, Mr. Strough, Mr. Brewer, Mr. Stec

NOES: None

ABSENT: Mr. Metivier

I, Darleen M. Dougher, Town Clerk of the Town of Queensbury, Warren County, New York, do hereby certify that I have compared the foregoing with the original resolution as listed above adopted at a Regular meeting of the Town Board of the Town of Queensbury held on the 21 day of January 2012, at which a quorum was present and that the same is a correct transcript therefrom and of the whole original thereof to date,
IN WITNESS THEREOF, I have hereto set my hand and the SEAL of said Town of Queensbury, this 1 day of February, 2012

SEAL

SIGNED: Darleen M. Dougher

Darleen M. Dougher
Town Clerk
Town of Queensbury

BEFORE THE
SURFACE TRANSPORTATION BOARD

FD 35559

SARATOGA AND NORTH CREEK RAILWAY, LLC
-OPERATION EXEMPTION-
TAHAWUS LINE

CERTIFICATE OF SERVICE

I hereby certify that I mailed a certified copy of the Town of Queensbury Resolution No. 67,2012 entitled RESOLUTION SUPPORTING APPLICATION OF SARATOGA AND NORTH CREEK RAILWAY, LLC BEFORE THE SURFACE TRANSPORTATION BOARD TO PROVIDE RAIL SERVICE ON THE EXISTING APPROXIMATELY 29.71 MILES OF RAIL TRACK KNOWN AS THE "TAHAWUS LINE" RUNNING FROM NORTH CREEK, NEW YORK WITH TERMINUS AT NEWCOMB, NEW YORK in the above captioned proceeding by first class United States Mail transmission to all parties on the Board' service list as follows:

To: The Surface Transportation Board
New York State Department of Environmental Conservation
Division of Lands and Forest
Essex County Board of Supervisors
The Honorable Elizabeth O'C. Little
The Honorable Teresa Sayward
The Adirondack Association of Towns and Villages

Sent on January 24, 2012

Friends Of the Upper Hudson Rail Trail, Inc.
Conservation Advocacy Committee Protect the Adirondacks! Inc.
Town of Newcomb
North Country Chamber Of Commerce
Strasburger & Price, Llp
Town of Johnsburg
NI Industries, Inc.

Sent on February 1, 2012

Darleen M. Dougher
Town Clerk-Queensbury

